

THE UNITED REPUBLIC OF TANZANIA



No. 9 OF 1989

I ASSENT,

Alasan

President

13th June 1989

An Act to amend laws pertaining to the powers and operations of People's Militia

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the People's Militia Laws (Miscellaneous Amendments) Act, 1989. Short title

2. Section 2 of the Peoples Militia (Compensation for Death or Injuries) Act, 1973, is hereby amended by deleting the definition "Peoples Militia" and substituting for it the following: Amendment of Act No. 27 of 1973

"Peoples Militia" means an organized group of the people of the United Republic, operating with the authority of and under the aegis of the Government and which is receiving any military training or participating in any military, quasi military or law enforcement exercise for the protection of the sovereignty of the United Republic or for the protection of the people or the property of the United Republic, by whatever name known, whether as *Wasalama*, *Sungusungu* or any other, but does not include the Police Force, any arm or branch of the Defence Forces, the Prisons Service, the National Service or the Immigration Services."

3. Section 2 of the Peoples Militia (Powers of Arrest) Act, 1975, is hereby amended by deleting the definition "Peoples Militia" and substituting for it the following: Amendment of section 2 of Act No. 25 of 1975

"Peoples Militia" means an organized group of the people of the United Republic, operating with the authority of and under the aegis of the Government and which is receiving any military training or participating in any military, quasi military or law enforcement exercise for the protection of the sovereignty of the United Republic or for the protection of the people or the property of the United Republic, by whatever name known, whether as *Wasalama*, *Sungusungu* or

any other, but does not include the Police Force, any arm or branch of the Defence Forces, the Prison Service, the National Service or the Immigration Service."

Repeal and replacement of section 3 of Act No. 25 of 1975

"Powers of arrest

4. Section 3 of the Peoples Militia (Powers of Arrest) Act, 1975, is hereby repealed and replaced by the following sections—

3.—(1) Subject to section 4, every member of the Peoples Militia shall have the same powers of arrest for breach of any provision of a written law and of search as are vested in a police officer of the rank of constable and such powers may be exercised subject to the same limitations, restrictions and conditions as apply in relation to an arrest or search effected by such police officer.

(2) Notwithstanding subsection (1), the Minister may, by notice published in the *Gazette*, designate ranks in the Peoples Militia, or amongst any particular group or category of the Peoples Militia, which shall, for the purposes of this Act, be comparable to the ranks in the Police Force specified in relation thereto in such order and where such order is made a member of the Peoples Militia or a member of the Peoples Militia of the group or category concerned, of a rank so designated shall have the same powers of arrest and of search as a police officer of comparable rank.

Power to make regulations

4.—(1) The Minister may make regulations for the purposes of securing the effectual and smooth operation of the Peoples Militia in the discharge of functions under this Act.

(2) Without prejudice to the generality of the power conferred by subsection (1), the regulations made by the Minister may provide for:—

- (a) the limitation of the area within which power under this Act may be exercised by members of the Peoples Militia or a category of them;
- (b) the regulation in any other way of the exercise of functions generally by members of the Peoples Militia or a category of them;
- (c) the training or instruction of members of Peoples Militia in the exercise of powers conferred by this Act."

Passed in the National Assembly on the twenty fourth day of April, 1989.

.....*M. M. M. M. M.*.....
Clerk of the National Assembly